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## THE WHITE HOUSE

WASHINGTON

September 27, 1976

## MEMORANDUM FOR THE HEADS OF

## EXECUTIVE DEPARTMENTS AND AGENCIES

This year marks the celebration of our Nation's 200th Birthday. It is appropriate that we embark on the Tricentennial with a reaffirmation of government for the people, by the people. As one more step in this direction, this issue of the Federal Register includes Consumer Representation Plans developed at my request by 17 Federal Executive Branch Departments and Agencies.

In initiating this effort, my guidelines to the Departments and Agencies were that they should work from within and improve the existing structure, rather than create another new agency to oversee other agencies or establish an agency with an adversary function built into its mandate.

Let us not lose sight of our objective: this is a time for open government. Consumers rightly demand to be a part of the decision-making process. It has not taken us 200 years to realize this; however, it has taken too long to accomplish it. It is a basic premise of these plans that where the machinery and the techniques for assuring consumer representation already exist, they are to be strengthened and that where they do not exist, they will be instituted. Further, these Consumer Representation Plans shall always be subject to improvement when deficiencies are noted or when a new need becomes evident. The Federal Government must provide effective ways to assure consumer representation at the earliest possible stages of the decision-making process.

In the past, the consumer's right to be heard has not been fully recognized by all government agencies. Too often the consumer's voice has been treated lightly or overlooked entirely. In considering public interest policy, I expect government decision-makers to balance the effect government policy will have between producers, distributors, transporters, retailers, labor and the consumers who support the entire system through the purchase of goods and services for personal, household or family use.

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This can be accomplished only through participation. The consumer's right to be heard means that the consumer must be involved in the development of programs and participation in decision-making mechanisms that affect his or her interests. It means that the individual consumer with a complaint or a criticism must not only be heard, but that those complaints will be acted upon by the government.

The procedures embodied in the Consumer Representation Plans confirm an essential aspect of the way government must operate, with openness and candor.

I believe that certain other action must be taken at this time. Therefore, I am herewith directing implementation of the following:

1. The Special Assistant to the President for Consumer Affairs shall have continuing responsibility to monitor the extent and effectiveness with which Departments and Agencies carry forth the policies embodied in the Consumer Representation Plans.

2. The Office of Management and Budget shall assess during the annual budget process the effectiveness of the Consumer Representation Plans. With assistance from that office and that of the Departments and Agencies, my Special Assistant for Consumer Affairs shall develop a summary report evaluating the various consumer programs, and this report shall be released to the public.

3. Each Department and Agency shall instruct employees on the purposes and availability of the Representation Plans and shall maintain internal monitoring and evaluation systems. As need arises, the Consumer Representation Plan of that Department or Agency shall be strengthened, and any changes in the Plans presented here shall be duly noticed in the Federal Register with an appropriate period allowed for comment.

4. In recognition of the need for consumers to have direct access to appropriate Federal officials, each Department and Agency publishing in the Federal Register a rulemaking, regulation, guideline or other policy matter shall provide in a manner and format determined by the General Services Administration the name, address, and telephone number of the appropriate person responsible for responding to citizen inquiry or comment.

5. To further promote my declaration of consumer education, the Office of Consumer Affairs in the Department of Health, Education and Welfare has established an Interagency Consumer Education and Information Liaison. This group and the Office of Consumer Affairs will provide technical support for the development, dissemination and use of education and information provided by the Federal Government to our schools and communities. It also prevents duplication within that program. To further this work, each Department and Agency shall support and participate to the extent they are charged with a consumer education and information function. Further, I am directing my Special Assistant for Consumer Affairs to coordinate this activity, encourage the participation of independent agencies outside the immediate Executive Branch Departments and Agencies, and provide me with an annual summary of the Federal Government's efforts in the area of consumer education and information.

6. To meet a special need of an important segment of our population, each Department and Agency shall cooperatively make every effort in regional and field offices to have available bilingual personnel, fluent in an appropriate language for the non-English speaking consumers who are regularly in need of contact with that office. Similar efforts shall be made, as appropriate, by headquarters offices in Washington, D.C. When a policy matter significantly affecting these segments of our population in their role as a consumer is proposed, Departments and Agencies shall make extra effort to reach these citizens through multi-lingual notices and all other appropriate means.

7. In order to assure dialogue on specific and general consumer concerns throughout the country, the Federal Executive Boards and the Federal Regional Councils shall establish, as appropriate, programs to help assure Federal liaison with individual consumers, as well as community and State and local consumer organizations. I am directing my Special Assistant for Consumer Affairs, in coordination with the Office of Management and Budget, to develop guidelines for this effort within thirty days.

8. After reviewing the functions of the Office of Consumer Affairs in the Department of Health, Education and Welfare, and the Consumer Information Center in the General Services Administration, I have decided each of their strengths in serving the consumer interest would be enhanced by a more consolidated approach. Therefore, I am directing my staff to seek methods that will strengthen that relationship, and to seek to accommodate the consolidation of staff, resources and functions of the Consumer Information Center with the Office of Consumer Affairs.

I believe these eight actions universally applied across the Executive Branch will enhance the Consumer Representation Plans which follow. The plans are, at this point, policy statements, and I am instructing each Department and Agency, where they have not done so, to implement them at once. In addition, the Departments and Agencies, along with my Special Assistant for Consumer Affairs, shall ensure that there is wide public dissemination of information about the availability of procedures embodied in these Plans. I look forward to increased responsiveness of the Federal Government to consumer concerns. I also look forward to more American consumers participating in the decision-making process.

Finally, in September, the independent regulatory agencies will be submitting reports to me, in response to my request, on the expected improvements. I have asked these agencies to improve consumer representation as well as to provide improved economic analyses of the consequences of their proposed actions, to rely more on marketplace competition, and to eliminate regulatory delay.

This Memorandum and the accompanying Consumer Representation Plans shall be published in the Federal Register.

*Gerald R. Ford*

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